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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,845	06/04/2001	Wing Leung	CHU/176/US	4843

2543 7590 05/21/2003

ALIX YALE & RISTAS LLP  
750 MAIN STREET  
SUITE 1400  
HARTFORD, CT 06103

EXAMINER

TSIDULKO, MARK

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/873,845

Applicant(s)

LEUNG, WING

Examiner

Mark Tsidulko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

The submission of amendment filed on is acknowledged. At this point claims 1-4 left unchanged and are at issue in the instant application.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farquhar (US 303,582).

Referring to Claim 1 Farquhar discloses (Fig.9) a decorative globe having an outer translucent cover [20] forming an enclosure for an inner globe [100] carrying an image on its surface. The inner globe may be rotated by a knurled ring (col.5, lines 4-17). There is a light bulb [60] within the inner globe.

For this embodiment Farquhar disclose the instant claimed invention except for an electric motor coupled to rotate the mounting such the image is projected onto an inner surface of the outer cover and is visible from outside the outer cover.

For the embodiment shown in Fig.11 Farquhar discloses (col.5, lines 71-75 and col.6, lines 1-14)

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that the movement of each of the spheres may be driven by an electric motor such the image is projected onto an inner surface of the outer cover and is visible from outside the outer cover.

(col.6, lines 30-35).

While the embodiment shows a manual rotation of the globe it will of course be understood that using electrical motor for rotation of globe simplify this process for the user.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the electric motor as taught by Farquhar for rotation of the inner globe in order to mechanize the process of rotation.

3. Referring to Claim 2 Farquhar discloses (Fig.9) that the outer cover [20] and inner globe [100] are spherical.

4. Referring to Claim 4 Farquhar discloses (Fig.9) that the image is a map of the world.

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farquhar (US 303,582) in view of Wang (US 6,039,453).

Farquhar disclose the instant claimed invention except for the outer cover has an aperture in its base.

Wang discloses (Fig.7) decorative globe wherein the outer cover [3] has the aperture in its base through which the inner globe may pass during assembly.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide the outer cover of the device of Farquhar with the aperture in its base, as taught by Wang in order to let the inner globe pass through during assembly.

### ***Response to Arguments***

Applicant's arguments filed on 4/15/03 have been fully considered but they are not persuasive.

Applicant argue that Farquhar reference does not teaches or suggests an image being projected onto an inner surface of an outer cover.

In response, it is understood that the image is projected onto inner surface of an outer cover owing to light source inside of the inner globe, regardless of the fact that outer globe is having stars or not. Also it clearly understood that the outer globe may be made having stars or not depending on necessity.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

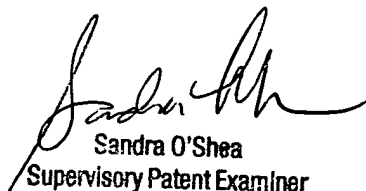
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Tsidulko whose telephone number is (703)308-1326. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and

(703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

M.T.  
May 16, 2003

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800